

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHNNY MILLER,	:	
Petitioner	:	
		CIVIL ACTION NO. 3:CV-13-1452
v.	:	
		(Judge Mannion)
JOHN E. WETZEL, <u>et al.</u>,	:	
Respondents	:	

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS
HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus, (Doc. No. [1](#)) is **DISMISSED**, without prejudice.
2. The Clerk of Court shall **CLOSE** this case.
3. There is no probable cause to issue a certificate of appealability.¹

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: June 7, 2013

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¹ Jurists of reason would not debate the procedural or substantive disposition of the Petitioner's claims. See [Slack v. McDaniel, 529 U.S. 473, 484 \(2000\)](#). Therefore, no certificate of appealability will be granted. See [id.](#)